

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RICHARD ROY SCOTT,) No. C06-0731TSZ
v. Plaintiff,) ORDER PERMITTING CASE TO PROCEED
KING COUNTY,)
Defendant.)

This matter comes before the Court on referral from the Honorable Thomas S. Zilly, presiding judge. On April 5, 2005, the United States District Court judges who sit in Tacoma entered an order dismissing a number of plaintiff's causes of action and barring future litigation unless plaintiff provides a signed affidavit, along with the proposed complaint, "verifying under penalty of perjury that none of the issues raised in the proposed complaint have been litigated in the past by the plaintiff." On May 24, 2006, the Clerk of Court received a complaint, a cover letter, and a declaration signed by Mr. Scott. Dkt. # 1. These documents are now before the undersigned for review pursuant to the terms of the bar order.¹

Plaintiff asserts a § 1983 claim and pendent state tort claims against defendant

¹ Plaintiff filed a notice of change of address in MC05-5029 in which he requested a forty-five day stay of all of his cases. The undersigned has therefore postponed consideration of this matter until the end of the forty-five day period.

ORDER

1 King County arising out of the conditions of his confinement in May 2006. The undersigned
2 finds that the issues raised in the above-captioned matter have not been previously litigated by
3 plaintiff and may proceed subject to the other requirements imposed by the "Order Adopting
4 Report and Recommendation," dated April 5, 2005.

5
6 DATED this 26th day of June, 2006.
7
8

Robert S. Lasnik

9 Robert S. Lasnik,
10 Chief Judge, United States District Court
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26